



ATTORNEY GENERAL OF MISSOURI

JEFFERSON CITY

65102

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ATTORNEY GENERAL

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August 17, 2010

Dear Treasurer:

In the weeks preceding the August 2010 primary elections, hundreds of consumers who had registered their phone lines with our No-Call list called our office to complain about political "robo-calls." Political "robo-calls" are not currently prohibited by Missouri's No-Call law, but that is not to say that such calls are completely unregulated or that Missourians have no recourse against those who do not abide by the regulations.

Under the federal Telephone Consumer Protection Act (TCPA), any call delivering a pre-recorded or artificial voice message must include the following:

1. The message must state – clearly and at the beginning of the call – the identity of the party initiating the call.
2. The message must include the telephone number or address of the party initiating the call so that the person receiving the call will have a fair opportunity to demand not to receive any further calls.

See 47 U.S.C. § 227(d)(3). See also 47 C.F.R. § 64.1200(b). Violations of these requirements already have resulted in federal actions in other states.

Prior consumer complaints have included violations of one or both of these regulations. If your organization elects to use "robo-calls" (either by making them directly or having others make them for you), please make sure the calls comply with all TCPA rules. In addition, I urge you to help our office in any way you can as we investigate Missourians' complaints in order to identify and stop offenders as quickly as possible.

If you have any questions regarding these issues, please contact Mr. Chris Carenza, the unit chief for our No-Call unit, at 314/340-7868.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Koster", written over a horizontal line.

CHRIS KOSTER
Attorney General